

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
BILL GAUDREAU)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 10-11901-WGY
AMERICAN EXPRESS COMPANY,)	
GC SERVICES LIMITED PARTNERSHIP)	
Defendants.)	
_____)	

ORDER

YOUNG, D.J.

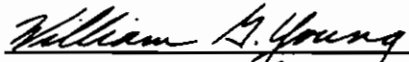
January 20, 2010

After consideration of the parties' briefs and arguments at the motion hearing, the Motion to Dismiss of American Express Company ("Amex") (ECF No. 3) is ALLOWED in part and DENIED in part. The Motion to Dismiss of GC Services Limited Partnership ("GC Services") (ECF No. 6) is ALLOWED as to all counts.

Amex' motion to dismiss is ALLOWED as to the plaintiff Bill Gaudreau ("Gaudreau") Count IV (Fraud); Count VII (Fair Debt Collection Practices Act); Count IX (Massachusetts Fair Debt Collection Practices Act); Count XI (Intentional Infliction of Emotional Distress); Count XIII (Civil Conspiracy: Underlying Tortious Conduct); Count XIV (Civil Conspiracy: Coercion) and Count XV (Class Action).

Amex' motion to dismiss is DENIED as to Gaudreau's Count III
(Negligence).

SO ORDERED.


WILLIAM G. YOUNG
DISTRICT JUDGE